

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-126283-001 DT

10/28/2010

HONORABLE JOSEPH C. WELTY

CLERK OF THE COURT
D. McGraw
Deputy

STATE OF ARIZONA

JESSICA ANN GATTUSO

v.

JOSHUA CRAIG DRAGOO (001)
DOB: 2/25/1983

DANIEL G SHEPERD

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR
VICTIM SERVICES DIV-CA-CCC

SUSPENSION OF SENTENCE - PROBATION GRANTED

9:52 a.m. This is the time set for Sentencing.

State's Attorney:	Carolyn Robinson
Defendant's Attorney:	Daniel G. Sheperd
Defendant:	Present
Court Reporter:	Lydia Estrada-Gray

Count(s) 1 and 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 (as amended) Possession of Drug Paraphernalia (Meth)
Class 6 Felony

A.R.S. § 13-3401, 13-3407, 13-3415, 13-3418, 13-610, 13-901.01(H)(4), 13-701, 13-702,
and 13-801

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Date of Offense: May 21, 2010
Non Dangerous - Non Repetitive
OFFENSE: Count 2 Assault
Class 1 Misdemeanor and A Domestic Violence Offense
A.R.S. § 13-1203(A)(1), (B), 13-901.03, 13-3601, 13-707, and 13-802
Date of Offense: May 21, 2010
Non Dangerous - Non Repetitive

IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 1 Probation Term: 2 years

Upon absolute discharge from prison for a separate offense in CR2010-139953-001.

IT IS ORDERED that probation in Count 1 shall run concurrent with probation in Count 2 and CR2010-115772-001.

Count 2 Probation Term: 2 years

Upon absolute discharge from prison for a separate offense in CR2010-139953-001.

IT IS ORDERED that probation in Count 2 shall run concurrent with probation in Count 1 and CR2010-115772-001.

Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

FINE: Count 1 - Total amount of \$1,840.00, which includes surcharges of 84%, payable \$50.00 per month beginning on a date to be determined by the Adult Probation Department.

Fine is to be paid to the Arizona Drug Enforcement Fund.

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning on a date to be determined by the Adult Probation Department.

ASSESSMENTS:

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Count 1: PROBATION SURCHARGE: \$20.00.

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.
All amounts payable through the Clerk of the Superior Court.

Condition 17 - Not consume or drink any substance containing alcohol.

Condition 18 - Not have any contact with the victim(s) whatsoever, unless approved in writing by the Adult Probation Department.

Condition 24 - Participate and cooperate in any counseling or assistance as directed by the APD as noted in the Uniform Conditions of Supervised Probation.

Condition 25 - Abide by the Special Conditions of Probation as noted on the attachment to the Uniform Conditions of Supervised Probation.

IT IS ORDERED granting the Motion To Dismiss the following: the allegation of Defendant's prior felony conviction and Count 2 will not be re-filed as Aggravated Assault, a class 6 felony (ability to resist impaired) for events described in Phoenix Police Department DR2010-00727913 and any supplements.

IT IS FURTHER ORDERED Defendant be released from custody for this case only.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

The presentence investigation report is filed under CR2010-115772-001.

10:13 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE JOSEPH C. WELTY
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)